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This document provides responses by the Vermont Agency of Transportation to comments on the April 24, 2020 Draft of the Vermont Automated Vehicle Testing Permit Guidance. It begins with a high-level summary of the comments and responses prepared by Stantec, the firm that is assisting the Agency of Transportation. The rest of the document is a table that repeats each comment received and the VTrans response.

The comments were gathered verbally during a public information meeting on June 19, 2020 and in writing. When applicable, the response describes the content and location within the Guide of any modifications. Modifications are included in the September 1, 2020 Draft of the Vermont Automated Vehicle Testing Permit Guidance. Modifications are shown in a marked-up version of the September 1, 2020 Final Draft that shows changes made to the April 24, 2020 Draft.

### Contact

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**Reference: Summary of Comments to AV Permit and Guidance**

submitted. The goal is to have a dialogue early on to make sure both parties have a common understanding around process and information to be presented as part of the application and reporting should testing move forward. Accordingly, for comments raised around the protection of information that can be classified as trade secrets, we were able to note the process included in the guidance.

With regard to reporting requirements as part of testing, industry also provided comments around wording related to unanticipated disengagements with a focus on avoiding use of the word “failure.” These comments were addressed in the AV Permit and Guidance.

Comments on Permit Approval Process

- *Number of reviewers:* Concerns were expressed around the number of potential reviewers for a testing application. It was made clear that the AOT permit coordinator would be the single point of contact and will coordinate and expedite all necessary reviews.
- *Public hearing process:* Comments expressed concern around the need for public hearings as part of the approval process. In responses it is explained that as public agencies, open meetings laws apply, even if not specifically noted in the Act.
- *Renewal of permit:* Comments sought clarification on the renewal process and did not see the need for any conditions on renewal. The team responded that the conditions are focused on safety and coordination and should not be seen as burdensome. Comments also wanted deployment beyond testing to be included as part of the guidance, but it was clarified that at this point, testing is only allowed with the goal of the testing informing how to approach commercial deployment.

Safety of Pedestrians, Cyclists, and Motorcycles: Comments were received from citizens and municipal interests around the safety of other road users. Revisions were made to the guidance and AV testing permit application for information around how risks to such road users will be addressed and mitigated. Such information is also requested as part of the reporting process for testing.

Comments on Act: Industry comments were received on the Act itself. We clarified that the Act is a product of collaboration and that by moving forward with testing through the release of the AV Permit and Guidance, engagement with lawmakers will continue and may inform subsequent legislation at the appropriate time.

For next steps, we are seeking Traffic Committee approval and final publication of the AV Permit and Guidance. Upon final approval and posting, we will be working to generate interest around testing, including outreach connected to the opportunities to partner with the State to support the continued integration of automated vehicles into the transportation system.

**Greg Rodriguez**

Mobility Policy Principal

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Ref	Topic	Comment on April 24, 2020 Draft	From	Response
1	REPORTS	<p><b>Post-crash notification window:</b> As part of the legislative debate on Chapter 41, a window for notification of state officials was established at 72 hours. The draft proposal adds a new stipulation for notification of state officials within 12 hours. Such as window is far too short in many real-world situations. For example, an automated vehicle tester that is in a collision during the early evening hours would be obligated to report such a collision before the start of the next business day. California, the recognized leader in automated vehicle testing, has set a similar reporting period at 10-days.</p>	<p>Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b>, June 30, 2020 Letter</p>	<p>Section 3.7 was modified as follows:</p> <p>The time frame was increased from 12 to 24 hours and text describing the purpose of the notification was added:</p> <p>“The purpose of the notification, which can be through either phone call or email, is to provide preliminary information so the Agency of Transportation, affected municipalities and law enforcement are not surprised by questions from the public or press. The notification should include to the extent possible in this time frame, the date, time and location of the crash as well as other facts known around property damage, personal injuries, or a fatality, if any.”</p>
2	RISK MANAGEMENT	<p><b>Indemnification of state/municipality:</b> The draft proposal calls for the tester to fully indemnify the state or municipality from any liability arising out of a crash involving an automated vehicle. Such a blanket indemnification is unjustified. There are situations in which a state or municipality could carry some degree of responsibility in an accident involving an automated vehicle. Take, for example, a stop sign that has been knocked over/removed from an intersection. As with a conventional vehicle, we’re a test vehicle to travel through the intersection without a stop sign and strike another vehicle, the state/municipality would bear some responsibility, just as they do today. There is no reason that current tort law cannot identify and resolve relative liability in such situations.</p>	<p>Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b>, June 30, 2020 Letter</p>	<p>This is the standard language in State of Vermont contracts, and we believe it is appropriate in this case.</p> <p>The language is clear that the indemnification is related only to actions of the Applicant:</p> <p>“The Applicant shall defend the State, Municipalities and their officers and employees against all third party claims or suits arising in whole or in part from any act or omission of the Applicant or of any agent of the Applicant in connection with the performance of this Agreement.”</p>

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3	REPORTS	<p><b>Annual report language:</b> The reporting requirement is called for as part of the underlying law but has been expanded in the proposed regulations. While the original report language raised some concerns with respect to the use of broad and vague report terms, the language added by the proposed draft relative to use-cases and other information learned could very quickly slide into the highly confidential business information that the vehicle testing is intended to produce. For instance, the requirement to report “a description of all ADS system failures” should be eliminated and instead, reporting of citations or violations will provide sufficient information pertaining to the operational safety of the test vehicles.</p>	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	<p>The information and data presented are described as examples, rather than specific requirements. To make that clear, text was added to Section 3.6, third paragraph that states the “...Applicant shall describe the type of information they will provide in the periodic test reports based on the goals of the proposed test and the testing plan. The following lists provide examples of the information that may be requested by the Traffic Committee.” This approach allows for information sharing and coordination between the Applicant and State on the type of information to include while seeking to protect true confidential or proprietary information.</p> <p>Section 3.8 provides a process for protecting confidential information that may be provided in the periodic test reports. The term “ADS system failures” was replaced with “unanticipated” disengagements of the ADS” in Section 3.6, item#7. If reporting on disengagements is considered a trade secret, the Applicant can apply the process in Section 3.8 to prevent public disclosure of that information.</p>
4	SAFETY	<p><b>Operational safety verification:</b> The pre-inspection demonstration included in the draft proposal is unlikely to be an effective validation of the safety of the technology being tested. Experts have explained that short-window demonstrations will never capture the many, many situations faced by a test vehicle as it goes down the roadway. For instance, “a description of how the disengagement technology and process will put the vehicle in a minimal risk conditions...in case of an ADS system failure” is unlikely to be realized during a pre-inspection test. This should not be required as part of a demonstration of the technology.</p>	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	<p>Section 4.10 has been modified to clarify that the purpose of the Operational Demonstration is to reasonably confirm the information included in the Safety Plan before starting testing.</p>

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5	SAFETY	<b>Safety and risk plan:</b> The draft proposal requires the submission of a Voluntary Safety Self-Assessment (VSSA) as established by NHTSA, but it does not allow the VSSA to stand in place of the Safety Risk Mitigation Plan as called for in the draft rules. Thus, there is a requirement that duplicates information and red tape without providing the state anything materially different. A carve out here for proprietary information is also warranted.	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	There are certain elements of the Safety and Risk Management Plan that will be specific to VT testing and not contained in the VSSA. The following clarification was added to the first paragraph in Section 4.8: "If any of the information requested below (in the more detailed list) is available in the VSSA, then an appropriate reference may be made to the VSSA."
6	MUNICIPAL CONCERNS	<b>Concerns with Underlying Law Municipality-by-municipality approval:</b> While municipalities and local leaders should absolutely have a voice in the testing of automated vehicle technologies on public roadways, such input should be coordinated through the Traffic Committee's review process. Requiring each of Vermont's 255 municipalities to affirmatively allow automated vehicle testing on roadways in their town will lead to an unworkable patchwork of testing areas and will serve as a dramatic disincentive to testing in the state.	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	The Act allows the Traffic Committee to approve testing on Class 1 Town Highways without municipal approval, which can help mitigate to some extent the concerns around potential inconsistencies. The Agency, with assistance from Regional Planning Commissions, will continue efforts to recruit municipalities that are willing to pre-approve testing. Several municipalities have expressed an interest to allow testing and the Agency is committed to fostering an environment of collaboration to promote testing that is beneficial for all parties interested in the continued deployment of AVs on our roads. Any changes to the Act will require legislative approval.
7	MOTHER LAW CONCERNS	<b>Concerns with Underlying Law Requirement for test operator:</b> Though the idea of driverless testing of automated vehicle technologies may be alarming to some, it is absolutely necessary before this life-saving technology can be widely utilized by the general public. California, which has been the unquestioned leader in automated vehicle testing, has recognized this reality and has allowed such testing. If Vermont is to attract automated vehicle testing to its roadways, a pathway to driverless testing is needed.	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	The requirement of a human operator in the test vehicle was a challenging issue while Legislators were working on the AV testing bill. That requirement could be changed in the future if Vermont has a chance to experience a test first-hand and as successful tests of driverless vehicles are carried out in other areas. The purpose of these guidelines is to guide the continued safe and productive testing and demonstration of AVs to establish viable use cases and to promote public education.
8	MOTHER LAW CONCERNS	<b>Concerns with Underlying Law Lack of path to deployment:</b> The law as adopted by the legislature fails to provide an avenue to deployment to the public once the technology is ready for mass usage. Such an oversight will only serve to delay the use of this life-saving technology by Vermont users.	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	Legislation to facilitate deployment may be possible perhaps within the next couple of years and based on data from continued testing and demonstration projects. We are currently initiating a research project with the departments of transportation from the five other New England states to identify legal and regulatory issues that need to be consistent across state lines.

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9	MOTHER LAW CONCERNS	<p><b>Concerns with Underlying Law</b></p> <p><b>Test vehicle signage requirement:</b> The entire purpose of real-world testing is testing in the real world. Experience shows that a requirement to brand testing vehicles with prominent signage to inform other roadway users of its activities leads to one of two outcomes – first, drivers may give the test vehicle an extra wide berth, negating the value of on-road testing; second, drivers may try to test the vehicle’s capabilities by cutting it off or abruptly engaging their brakes in front of the vehicle. Both of these possibilities will likely delay the deployment of this life-saving technology.</p>	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation</b> , June 30, 2020 Letter	The public has a right to know when a test vehicle is on a public highway and first responders need to be aware of the type of vehicle they may be called upon to assist. While the agency understands your concerns, the Agency also sees signage as an opportunity for public outreach and education.
10	MOTHER LAW CONCERNS	<p><b>General Comment:</b> Specifically, the Coalition is concerned that the Guide departs from the underlying Vermont Automated Vehicle Testing Act (“AV Testing Act,” “Act”), and would prevent the safe and swift deployment of autonomous vehicles (“AVs”).</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	<p>The Guidance is consistent with the Act. Specific issues are addressed in more detail in our response to the rest of the SDC comments.</p> <p>The Automated Vehicle Testing Act requires the Agency to publish the Guide consistent with the other requirements in the Act. The Guide ensures all requirements of the Act are addressed. The Automated Vehicle Testing Act does not relieve the Agency of Transportation from its obligation to protect the safety of the travelling public and the taxpayers.</p> <p>Further, the State has invested in the development of the Guidelines to provide operational certainty and to foster an environment focused on partnerships and mutual learning around the continued safe deployment of AVs on our roads.</p>
11	PERMIT PROCESS	<p><b>The Guide as written allows only for a single test per permit.</b></p> <p>Section 3.1 of the Guide states that applicants must provide an overview of the “proposed test” to apply for a permit. The Coalition requests that this language be revised to appropriately reflect that the permit will cover more than a single test.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	We did not intend to limit the permits to a single test. The word “test” was replaced with “testing activities” in Section 3.1, first paragraph.

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12	PERMIT PROCESS	<p><b>The basis for approving and renewing a permit application is unclear.</b></p> <p>Section 3.1 of the Guide requires the Permit Coordinator to consult with DMV, State Police, and AOT subject matter experts to develop a staff recommendation regarding the approval of a test permit application. However, the basis on which the Committee would approve or deny a permit application is unclear. If all required information is provided, the Coalition believes that the permit should be approved, particularly as it is the Coalition’s opinion that such review of the substance of the testing plan is not contemplated in the statute. Therefore, the Coalition strongly recommends against requiring the Committee to substantively evaluate the testing plan (e.g. the quality of the automated driving system (“ADS”). In addition, as standards for evaluating the substance of the testing plan are not articulated in the Guide, the Coalition believes that this requirement would create substantial uncertainty and would impede the willingness of testers to apply for permits in Vermont.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	There are no federal or other standards for use in evaluating AV testing applications. While the completeness of an application will be considered in the review and approval process, the guidance was written in a spirit of collaboration. It is reasonable to expect specific questions and dialogue beyond the completeness of an application between the Applicant and staff at the Agency of Transportation, Department of Motor Vehicles and Department of Public Safety during the review process. While all three departments will be involved in the review, the AOT Permit Coordinator is the single point of contact for the Applicant. Section 3.1 was modified to make that clear.
13	PERMIT PROCESS	<p><b>The basis for approving and renewing a permit application is unclear.</b></p> <p>Related, Section 4.10 of the Guide currently would require the ADS systems proposed for testing to be subject to “pre-inspection and demonstration” conducted by the Permit Coordinator, State Police, and the Department of Motor Vehicles. As written, the Coalition is concerned that the Guide would contemplate the Permit Coordinator, State Police, and the Department of Motor Vehicles to review highly proprietary materials. The pre-approval approach contemplated here would be far out of step with how AV testing and deployment is progressing across the United States. The Coalition requests that this language be revised to focus at most on the inspection of the physical vehicle.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	Section 4.10 has been modified to clarify that the purpose of the Operational Demonstration is to reasonably confirm the information included in the Safety Plan before starting testing.

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14	PERMIT PROCESS	<p><b>The basis for approving and renewing a permit application is unclear.</b></p> <p>In addition, Section 3.1 explains that AOT has authority regarding the renewal of a permit but does not include a basis for or parameters of this authority. The Coalition’s concern is that even if an application is complete and in order, it will still ultimately fall to AOT to decide whether a permit will be renewed following the two-year period. The AV Testing Act does not contemplate that the permit will expire. Based on the lack of statutory basis for this limitation and given that the Guide outlines the parameters for suspending or revoking a permit, the Coalition believes it is reasonable for the permit to be approved indefinitely unless it is revoked.</p>	<p>Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b>, June 30, 2020 Letter</p>	<p>A defined end date for a permit provides an opportunity to assess the results of the test and modify the permit if necessary. The Guide states that an approved permit will be valid for two (2) years unless revoked or suspended. At least ninety (90) days before the expiration of such two-year period, AOT and the Permittee will meet to discuss renewal of the permit (Section 3.1, last paragraph). This operational time frame provides an opportunity for the state, municipalities, and Applicant to learn from the experience and develop the right framework together that supports scaling up and deployment of AVs.</p> <p>– Katie from SDC agreed to provide example permit renewal requirements from other states.</p> <p>Section 3.1 has been modified as follows to include conditions for renewal, and to note that feedback from the applicant will also be considered.</p> <p>“Feedback from the Applicant and the following items will be considered in the decision about renewal:</p> <ol style="list-style-type: none"> <li>1. Safety (i.e. no major crashes attributed to the ADS)</li> <li>2. Applicant’s compliance with terms and conditions of the present permit</li> <li>3. Cooperation and transparency throughout the testing process</li> <li>4. Comments from municipal officials in which testing was conducted</li> <li>5. Public concerns and complaints resolved and unresolved”</li> </ol>

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15	PERMIT PROCESS	<p><b>The basis for approving and renewing a permit application is unclear.</b></p> <p>Finally, this section (3.1) provides the opportunity for the Traffic Committee to allow for additional written comments to be submitted before issuing a decision. The Coalition suggests striking this language, as the language is not called for by the statute and may unnecessarily prolong the permit process.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	The Traffic Committee is established in 19 VSA §1(24) and is a public body as defined in 1 V.S.A. § 310. The Automated Vehicle Testing Act does not relieve the Traffic Committee from conducting public meetings in a manner that allows for sufficient public input consistent with Vermont’s Open Meeting Law 1 V.S.A. §§ 310-314. The Traffic Committee has the option to allow time for written comments, it is not a requirement.
16	PERMIT PROCESS	<p><b>The procedures for modifying the permit are ambiguous and unnecessarily burdensome.</b></p> <p>The Coalition understands that the AV Testing Act states that all modifications to the operational design domain require approval by the Traffic Committee. 23 V.S.A. § 4203(e). The Act defines “operational design domain” as “a description of the specific domain or domains in which an automated driving system is designed to properly operate, including types of roadways, ranges of speed, weather, time of day, and environmental conditions.” 23 V.S.A. § 4202(9). However, the requirements imposed by the Guide would vastly exceed the approval contemplated by the AV Testing Act. Specifically, Section 3.3 of the Guide would require “material changes” to an AV Testing Permit to be approved by the Traffic Committee at a “duly warned public hearing.” This requirement is not based on the AV Testing Act and would unnecessarily burden both the Traffic Committee and the testers. Further, the requirement is ambiguous. While the Guide would require the Applicant to notify the Permit Coordinator if there are material changes in the testing plan or material modifications to the test’s operational design domain, it is ambiguous in the Guide if “material modifications” would likewise trigger the hearing requirements. For these reasons, the Coalition would request that the Guide remove the public hearing requirement contemplated in Section 3.3 of the Guide.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	The Automated Vehicle Testing Act requires approval of the Traffic Committee for changes to the operational design domain, changes to permit conditions, and changes affecting town highways (23 VSA § 4203(e)). The Traffic Committee is established in 19 VSA §1(24) and is a public body as defined in 1 V.S.A. § 310. Per Vermont’s Open Meeting Law 1 V.S.A. §§ 310-314, a public body meeting must be open to the public and the public must be given a reasonable opportunity to express its opinions.

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17	PERMIT PROCESS	<p><b>The procedures for modifying the permit are ambiguous and unnecessarily burdensome.</b></p> <p>Particularly in the face of the ambiguity explained above, the Coalition believes that it is also critical to cabin what would be a “material modification.” For example, it is the Coalition’s opinion that any testing program should promote the testing of AVs, and therefore, an increase of the number of test vehicles should not be considered a material modification. Similarly, the Guide would deem changing the make or model of test vehicles to be a “material modification.” As the Guide would already require test vehicles to be marked in some manner as a test vehicle, the Coalition does not agree that it would be necessary to notify the Permit Coordinator of changes to the make or model of test vehicle. Therefore, the Coalition requests that the Guide remove these changes from the examples of material modifications.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	The Automated Vehicle Driving Act states that “...all modifications to the operational design domain or other permit conditions” requires approval by the Traffic Committee. The material modifications in Section 3.3 of the Guide, provide examples of changes that are likely to be identified in the ODD or permit conditions. In general, any change that has the potential to impact the representations in the Safety and Risk Management Plan. To reduce any ambiguity, Section 3.3 was modified to state that “Thresholds for material modifications will be specified in permit conditions considering the characteristics of the testing plan.” This clarification will ensure that the Applicant and State of Vermont have a clear understanding of changes that trigger a major modification before the test begins.
18	REPORTS	<p><b>The Guide would substantially expand the reporting requirements set forth in the AV Testing Act.</b></p> <p>The AV Testing Act requires the “automated vehicle tester” to annually submit a report summarizing “results and observations related to safety, traffic operations, interaction with roadway infrastructure, comments from the public, and any other relevant matters.” 23 V.S.A. § 4203(g). Section 3.6 of the Guide would expand the reporting requirements by necessitating that testers provide information such as a description of “all ADS system failures.” While the Coalition understands that the AV Testing Act contemplates testers providing information not enumerated in the Act in the annual report, the Coalition believes that the requirement to describe all ADS system failures would result in a substantial expansion of the reporting requirements and provide irrelevant information that could be misconstrued as relating to the operation of AVs in autonomous mode on public roads. Therefore, the Coalition suggests striking the requirement to provide all “ADS system failures” from the annual report.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	<p>The information and data presented are described as examples, rather than specific requirements. To make that clear, text was added to Section 3.6, third paragraph that states the “...Applicant shall describe the type of information they will provide in the periodic test reports based on the goals of the proposed test and the testing plan. The following lists provide examples of the information that may be requested by the Traffic Committee.” This allows for information sharing and coordination between the Applicant and State on the type of information to include.</p> <p>Section 3.8 provides a process for protecting confidential information that may be provided in the periodic test reports. The term “ADS system failures” was replaced with “unanticipated disengagements of the ADS” in Section 3.6, item#7. If reporting on disengagements is considered a trade secret, the Applicant can apply the process in Section 3.8 to prevent public disclosure of that information.</p>

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19	REPORTS	<p><b>The Guide would substantially expand the reporting requirements set forth in the AV Testing Act.</b></p> <p>In addition, the Coalition requests that the 12-hour reporting requirement following a crash involving a test vehicle be removed from the Guide. The AV Testing Act specifies that the operator and automated vehicle tester will report to AOT and applicable law enforcement within 72 hours “after any motor vehicle crash involving the testing of the automated vehicle that results in personal injury or property damage.” 23 V.S.A. § 4203(h)(3)(B). However, Section 3.7 of the Guide imposes an additional 12-hour notification requirement where the Applicant must notify the Permit Coordinator as soon as possible, but no later than 12 hours, after any crash occurs. Further, the Guide also would require Applicants to notify a municipality’s contact person in certain circumstances, which is not contemplated by the statute. In addition, the Guide would require the Application to provide a written Operator Crash Report within 72 hours of the crash. The AV Testing Act does not require a written report to be provided within 72 hours—the Act merely contemplates that a report will be provided. As this requirement is not imposed by the AV Testing Act, we recommend that the deadline for providing a written report be extended to 10 days following a crash. This would appropriately allow for the Applicant to gather the necessary facts to file a report.</p>	<p>Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b>, June 30, 2020 Letter</p>	<p>Section 3.7 was modified as follow:</p> <p>The time frame was increased from 12 to 24 hours and text describing the purpose of the notification was added:</p> <p>“The purpose of the notification, , which can be through either phone call or email, is to provide preliminary information so the Agency of Transportation, affected municipalities and law enforcement are not surprised by questions from the public or press. The notification should include to the extent possible in this time frame, the date, time and location of the crash as well as other facts known around property damage, personal injuries, or a fatality, if any.”</p>
20	REPORTS	<p><b>The Guide should not contemplate making the Permit Application publicly available.</b></p> <p>Section 3.8 of the Guide notes that it is “essential that the Permit Application be made available to the public, municipalities, and other interested parties” prior to the hearing on the application. The AV Testing Act requires a hearing; however, the Act does not address the Permit Application itself being made available to the public. The Coalition recommends striking this language to allow for flexibility in what information must be made available to a large audience.</p>	<p>Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b>, June 30, 2020 Letter</p>	<p>Any document in the possession of a state agency in Vermont is subject to the Public Records Act. Section 3.8 of the guidance provides a process that will protect the trade secrets of applicants from disclosure in a manner that is consistent with the Public Records Act.</p>

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21	SAFETY	<p><b>The ability to suspend all testing in Vermont based on a major crash outside of Vermont is not contemplated by the AV Testing Act and is overly punitive.</b> To the extent that a “major crash,” defined by the Guide as a crash that results in a fatal or “incapacitating injury, involving an Applicant’s test vehicle outside of Vermont and there is “any indication that the ADS system was at fault,” Section 3.7 of the Guide would require the Applicant to suspend all testing in Vermont and notify the AOT Permit Coordinator. This requirement is not based on the AV Testing Act, and it is the Coalition’s opinion that there is no reason to believe that such incidents would be relevant to the operational design domain in Vermont. Therefore, the Coalition believes this language should be struck from the Guide—particularly as the Guide has outlined a separate procedure for suspension decisions that would encompass relevant crashes. In addition, the Guide neither defines nor explains what would constitute “any indication that the ADS system was at fault.” The unreasonable and unsubstantiated bar for suspension in this section would set too low of a bar for suspension and reporting, and in doing so, would establish a highly onerous procedure for AV testers in Vermont and could lead to an over-suspension of testing this potentially life-saving technology.</p>	<p>Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b>, June 30, 2020 Letter</p>	<p>The text in Section 3.7 has been modified as follows: “The Applicant shall notify the AOT Permit Coordinator within 48 hours if a “major crash” (defined in Section 5) occurs outside of Vermont involving an Applicant’s test vehicle. Depending on the circumstances of the crash, the Applicant may be asked by the AOT Permit Coordinator to temporarily pause the test to allow the state, affected municipalities and the Applicant to communicate and engage in appropriate fact finding and actions. The Applicant may be requested by the AOT Permit Coordinator to participate in an in-person meeting following submission of a Crash Report or similar documentation in the state where the crash occurred. The Traffic Committee may require modifications to the Applicant’s Test Permit to address safety issues associated with the crash.”</p>

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22	SAFETY	<p><b>The Safety and Risk Mitigation Plan may call for proprietary information and the requirements should be revised.</b></p> <p>The Coalition requests revisions to the Safety and Risk Mitigation Plan (“Plan”) established in Section 4.8. For example, the Plan requires the Applicant to provide “[d]ocumentation on how the test vehicles will be able to safely operate under the road conditions, including existing traffic laws, anticipated within the ODD.” As written, this may require the Applicant to provide proprietary information regarding the operation of the ADS and the test vehicle. The Coalition suggests that AOT consider removing some elements from this section and convert any remaining requirements to submit potentially proprietary documentation into acknowledgements.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	In Section 4.8, Item#3, Replaced the phrase “Documentation on..” with “Describe in general terms...”. This change will allow for a more general description of the ADS’s capability to operate within the ODD. If it is still necessary to divulge proprietary information, Section 3.8 of the Guidance provides a process that will protect the trade secrets from disclosure in a manner consistent with the VT Public Records Act.
23	RISK MANAGEMENT	<p><b>The Guide exceeds the specific statutory requirements set forth in the AV Testing Act regarding insurance.</b></p> <p>The AV Testing Act requires an “automated vehicle tester” to submit proof of insurance or a surety bond of at least five million dollars for damages “by reason of bodily injury, death, or property damage caused by an automated vehicle while engaged in automated vehicle testing.” 23 V.S.A. § 4203(h)(2)(B). However, the Guide would impose insurance requirements that exceed these statutory parameters, and the Coalition does not believe that AOT should craft conflicting rules.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	It is standard practice for businesses to carry the insurance requirements in the Guide.
24	RISK MANAGEMENT	<p><b>The Guide establishes unclear requirements regarding indemnification of municipalities.</b></p> <p>Section 2.1 of the Guide states that “[t]he permits conditions will provide that a municipality will be fully indemnified for a crash that involves an automated vehicle.” As this requirement is not present or contemplated in the AV Testing Act, the Coalition requests clarity regarding what entity will be responsible for indemnification.</p>	Ariel S. Wolf Counsel, <b>Self-Driving Coalition for Safer Streets</b> , June 30, 2020 Letter	Section 8.0 provides the details on indemnification. Section 2.1 provides a high-level overview of the Guidance. The sentence in Section 2.1 referenced in this comment was modified to say the “...standard permit conditions in Section 8.0 describe the indemnification provided for municipalities”.

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
25	MISC.	<p>(1) It is important that AVs are tested on Vermont roads (especially dirt roads) since the illumination and signage that are common in urban areas may well be radically different in Vermont.</p> <p>(2) Were a resident of Pennsylvania or New York purchase an AV, can they use it on Vermont roads today? Can we prevent them from using their vehicle on Vermont roads?</p> <p>(3) I see the progression to AVs as inevitable. All we can do is ensure that unsafe vehicles are prohibited.</p>	<p>Jon Bondy, Fletcher, VT,  Email, May 29, 2020</p>	<p>(1) Gaining experience on VT roads is an important reason to allow testing in VT. AVs need to be able to operate in all conditions and in consideration of infrastructure and weather.</p> <p>(2) It depends on the definition of AV. The Testing Act applies to vehicles with levels 3-5 automated driving systems. There are some VT state laws that would make it illegal to operate these vehicles on VT highways unless they are part of a test. The USDOT has noted that there are not AVs (levels 3-5) available for commercial sale at this time.</p> <p>(3) Testing on public roads is an important step to facilitating the safe transition to automated vehicles.</p>
26	MISC.	<p>(1) On a different note, the introduction over the past decade of the newer and brighter road signs makes perfect sense in an urban area where all roads are well lit, but on rural roads at night, the new signs dazzle, preventing the driver from seeing the road itself, and wildlife that could be crossing the road behind the signs. I believe that these signs, no matter how well intended, are dangerous on rural roads. It is frustrating that nothing was done about this when the new signs were introduced.</p> <p>(2) A similar situation may exist with AVs, in that they may be designed for an urban environment, and perform poorly where roadsides are ill defined and painted lines are often abraded until they are no longer visible.</p>	<p>Jon Bondy, Fletcher, VT,  Email, May 29, 2020</p>	<p>(1) Traffic signs are regulated by the federal Manual on Uniform Traffic Control Devices (MUTCD). Use of this standard ensures that drivers from any state will be familiar with the size, type, and location of signs no matter where they travel within the US. The MUTCD requires new signs to be larger and brighter. Vermont statute requires that traffic control devices on all public roads adhere to the MUTCD.</p> <p>(2) Edge lines and centerlines will be helpful, but ultimately not necessary. By definition, vehicles with Level 3-5 Automated Driving Systems will have the ability to identify and react to signs and other traffic control devices. They should also be able to recognize the physical characteristics of a highway, such as edge of pavement, curbs, ditches, etc. The ADS will learn how to maneuver through changing roadway conditions.</p>

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
27	RISK MANAGEMENT	Regarding Section 4.15 Insurance, #6 Notice of Cancellation or Change should read as follows: There shall be no cancellation, change, potential exhaustion of aggregate limits of insurance coverage(s) without thirty (30) days prior written notice to the State. There shall be no non-renewal of insurance coverage(s) without forty-five (45) days prior written notice to the State.	Pat Murray, Senior Rate and Forms Analyst/Outreach Coordinator <b>State of Vermont Department of Financial Regulation</b>  Email, June 16, 2020	The modification as proposed has been made to Section 4.15, item #6.
28	ELDERLY & DISABLED PEOPLE	Greetings. My Name is Matthew LeFluer. And. I'm. A. Resident Town of. Alburgh Vermont. In. Grand. Isle county. My. Comment. Or Support. Question. Is. This. Type of. Program. Will. Be. Available. To. All. Vermonters. With. Learning. Disabilities and Mobility. Issues. Seniors. On. SSI. Grandmama. And. Grandpapa. We. Myself included. ( Autistic). Need. This Type Of. Program. All around. Vermont. Statewide. So. People. That. Have. Even. Transportation. Issues Could. Use. This. As. A. Way. For. There Everyday. Needs. In. Society. In. Vermont.	Matthew LeFluer Grand Isle, VT  Email, June 09, 2020	Providing mobility options for people that cannot currently drive a conventional motor vehicle is an important benefit of Automated Vehicles. We want to encourage the testing of AVs in VT so members of the public can experience them first-hand to build confidence. Testing can help facilitate the availability of the AVs for public use. Further, prioritizing equity and accessibility is an important opportunity for AVs. Through testing, important discussions around human licensing requirements can also be taken up as level 4 and 5 vehicles are safely deployed.

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
29	BIKE, PED, MOTORCYCLE	<p>I really got a lot out of your meeting last week about AV testing coming to Vermont. Worthwhile and interesting meeting.</p> <p>It is exciting to see AV work moving forward, but you could hear my concern, and others, about a "vision test" so that people on bikes or on foot are seen. We discussed that some on the call. How are you thinking about that now? Where are the opportunities to get this right? How can Local Motion help?</p> <p>I've looped in Jonathon, our Livable Streets Manager. He also works with Vtrans, and is tracking this as well.</p> <p>I know you are likely already aware, but in this unfortunate situation , a person died because an AV and its Uber tester didn't see a woman. That's what we must avoid here, by planning for this now and carefully managing how AV testing takes place with all vulnerable users in mind. Getting the guidance right is very important.</p> <p>Let me know what you are thinking about in this regard.</p>	<p>Karen Yacos,  Executive Director, <b>Local Motion</b></p> <p>Email. June 25, 2020</p>	<p>The description of the Testing Plan in Section 4.7, item #2 regarding roadway characteristics has been modified to recognize the presence of pedestrians and bicyclists. The following requirement has been added to the information to be included with the Safety and Risk Management Plan (Section 4.8, Item #11)</p> <p>11) A description of how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.</p>
i	BIKE, PED, MOTORCYCLE	<p>I understand that a "vision test" and the ability of the AV to "see" pedestrians and bicyclists, is not required in Vermont Guidance for testing. That seems a miss for a state like ours. Can you explain?</p> <p>If there is not "vision test" possible, how is the state planning to keep pedestrians and others that are not in cars safe in on road test locations? Can there be a threshold for "seeing" people before an AV can be tested on public roads</p>	<p>Karen Yacos,  Executive Director, <b>Local Motion</b></p> <p>Public Info Meeting, June 19, 2020</p>	<p>The description of the Testing Plan in Section 4.7, item #2 regarding roadway characteristics has been modified to recognize the presence of pedestrians and bicyclists. The following requirement has been added to the information to be included with the Safety and Risk Management Plan (Section 4.8, Item #11)</p> <p>11) A description of how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.</p>

31	BIKE, PED, MOTORCYCLE	<p>Good morning, I realize I am one day over the deadline for submitting concerns, I hope you can still accept my opinion.</p> <p>I am a Vermont resident (Lake Elmore) for 30+ years, and have been riding motorcycles for the last 18 years. I am President of United Motorcyclists of Vermont, and my own opinion is the same of our members.</p> <p>We are very concerned about the impact of automated vehicles and motorcycles sharing the roads. We are certainly all for anything that makes an auto driver safer; we know distracted driving is a huge concern for anyone. If automated vehicles can overcome a distracted driver's bad actions, that is great, but unless an automated vehicle is 100% accurate in it's function, I can't have faith in it.</p> <p>I feel that the push for automakers to get automated vehicles to eager consumers might not take into consideration the potential problems relating to motorcycles sharing the road with these vehicles.</p> <p>Motorcycles smaller size and differing velocity would make for much different algorithms and we don't know if auto manufacturers are taking that into consideration.</p> <p>I know I'm not great at writing/saying all the info I've read and want to relate, in my own words...I do want to include a couple links if they can please be read and considered, but my own strong opinion is that I do not have faith in an automated vehicle being responsible over a human. Heck, I don't even have faith in humans being responsible drivers! I have a scar on my chin from an incident of an oncoming motorist left-turning in my path and causing a collision.</p> <p>link -  <a href="https://americanmotorcyclist.com/rights/automated-vehicles-and-the-safety-of-motorcyclists/">https://americanmotorcyclist.com/rights/automated-vehicles-and-the-safety-of-motorcyclists/</a></p> <p><a href="https://www.acem.eu/images/publiq/2019/ACEM_PolicyPaper_19_Automated_Cars_V4.pdf">https://www.acem.eu/images/publiq/2019/ACEM_PolicyPaper_19_Automated_Cars_V4.pdf</a></p>	<p>Holly Wilkins  President, <b>United Motorcyclists of Vermont</b></p> <p>Email, July 1, 2020</p>	<p>The following requirement has been added to the information to be included with the Safety and Risk Management Plan (Section 4.8, Item #11)</p> <p>11) A description of how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.</p>
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Ref	Topic	Comment on April 24, 2020 Draft	From	Response
32	MISC.	We didn't see RPC/MPO's role in the permit process. In addition to educating local officials, it is recommended to establish a public outreach plan (in Section 4.0) to educate/alert public of the approved AV testing site. It would be beneficial, especially for testing sites in Chittenden County, to the MPO and municipalities to review the periodic testing results report and understand AV operations in urban areas.	Bryan Davis, Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Per the Automated Vehicle Testing Act, VTrans is coordinating with RPCs in educating municipalities on the AV Testing Act. Section 3.1 of the Guide has been modified to include RPCs in the initial meeting with the applicant (item #1), and RPCs will be sent a copy of the complete application (Item #4) and any timely comments on the testing application will be taken into consideration. Section 4.7 in the Guide has been modified to ask Applicants to describe how they will notify and educate the public about a test. Non-confidential aspects of testing reports will be made available to the public.
33	REPORTS	Under section 3.6, General reporting requirements, we suggest to add reporting travel times between established locations for any testing sites where permanent Bluetooth readers are installed in Chittenden County.	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Travel time between stops has been added in Section 3.6. Please note that the information and data presented as part of the proposed reporting are described as examples, rather than specific requirements. The data provided in the periodic test reports will be specific to the goals of the proposed test and the testing plan, in addition to any considerations around confidential or proprietary information. Also, privacy concerns will need to be considered in the event of any information that may contain geospatial information concerning an individual.
34	MISC.	Figure 1, page: what does OEDR stand for?	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	A footnote at the bottom of Figure 1 has been added spelling out OEDR – Object or Event Detection and Response.

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
35	MISC.	Section 3.2, page 7: Are there other potential and/or helpful roles for regional planning commissions?	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	We will monitor other potential roles, including the recruitment of adjacent municipalities with continuous roadways. The Agency anticipates the sharing and coordination of information from testing will inform and be important for considerations around transportation planning.
36	BIKE, PED, MOTORCYCLE	Section 3.6, page 8: Can the guide include information related to bicyclists and pedestrians, such as in General observations and lessons learned in reporting?	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	<p>The description of the Testing Plan in Section 4.7, item #2 regarding roadway characteristics has been modified to recognize the presence of pedestrians and bicyclists.</p> <p>The following requirement has been added to the information to be included with the Safety and Risk Management Plan (Section 4.8, Item #11) - A description of how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.</p> <p>Interactions with pedestrians and bicyclists has been added to the list of data that may be included in testing reports in Section 3.6.</p>

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
37	MISC.	Page 11, second paragraph: there is an extra period at the end of the third sentence.	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Corrected.
38	MISC.	Section 4.8.9).d.i. is blank (pg 17)	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Corrected.
39	MISC.	Section 5, page 20: need space between ADS and Automated Vehicle definitions	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Corrected
40	MISC.	Section 5: include acronyms throughout Glossary (e.g., DDT as part of Dynamic Driving Task definition, OEDR?, ODD for Operational Design Domain, etc.)	Bryan Davis, AICP Senior Transportation Planner <b>Chittenden County Regional Planning Commission</b> , July 1, 2020 Email	Section 5.0-Glossary has been modified to include acronyms where appropriate.

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
41	MUNICIPAL CONCERNS	<p>Section 2.1. Municipal Role in Testing of Automated Vehicles. Page 4</p> <p>Section 8.0. Attachment 3: Standard Permit Conditions. Page 25-26</p> <p>Section 10.0. Example Municipal Testing Approval Resolution. Page 28-29 –</p> <p>The guidance references permit conditions that will provide that a municipality will be fully indemnified for a crash that involves an AV. This permit condition is an absolute necessity for all municipalities that open roads to AVs, and we thank the agency for recognizing this and granting municipalities the same extension of indemnification as the state holds. In Section 10.0, an additional whereas provision that references this indemnification coverage would particularly help local residents and businesses be aware of the key provisions of the AV testing in their communities. We think that the “example” resolution should include language that encourages local legislative bodies to ask the town attorney to review the “model” or “example” resolution. This is particularly important if any changes are made to the resolution to ensure the final resolution complies with the underlying AV laws and any other applicable laws.</p>	<p>Gwynn Zakov, Municipal Policy Advocate; <b>VT League of Cities and Towns.</b></p> <p>June 30, 3030 Letter</p>	<p>A sentence has been added to Section 3.2 that notes the resolution is an example that municipalities may want to modify and review the resolution with their municipal attorney.</p>

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
42	LAW ENFORCEMENT	<p><i>Section 3.4. Temporarily Restricting Testing. Page 7</i>  <i>Section 3.7. Crash Protocol. Page 9</i>  <i>Section 4.9. First Responder Interaction Plan. Page 17 –</i></p> <p>In instances where law enforcement plays a role, there should be some level of outreach to law enforcement agencies where testing is approved. All appropriate state law enforcement, relevant county sheriff departments, and local municipal agencies or constables with law enforcement authority should be notified after permits are approved, and prior to actual testing. Given the authority law enforcement has over highway public safety, the public will often first contact law enforcement, rather than their local legislative body, over roadway and highway issues.</p>	<p>Gwynn Zakov,  Municipal Policy Advocate; <b>VT League of Cities and Towns.</b></p> <p>June 30, 3030 Letter</p>	<p>The Act requires that the Traffic Committee make approved automated vehicle test permits readily available to law enforcement and municipalities within the geographic scope of the operational design domain designated in the permit. The AOT Permit Coordinator has that responsibility on behalf of the Traffic Committee. Added that requirement as a Step #8 of the process description in Section 3.1.</p> <p>The Guide requires the Applicant shall provide training to first responders within the operational design domain on the methods and procedures within the Interaction Plan. The Agency of Transportation will assist with training, organization and logistics.</p>
43	RISK MANAGEMENT	<p>Section 4.15. Insurance. Page 19 –</p> <p>Under subsection (5), an applicant must include the state and its agencies, departments, officers, and employees as “Additional Insureds,” however there is no reference to “subdivisions of the state,” which would include municipalities. Municipalities should be extended this insurance coverage as partners and participants in the AV testing programs, and we strongly urge including “subdivisions of the state” or “municipalities” in this subsection.</p>	<p>Gwynn Zakov,  Municipal Policy Advocate; <b>VT League of Cities and Towns.</b></p> <p>June 30, 3030 Letter</p>	<p>Section 4.15, item #6 has been modified to include municipalities that have pre-approved testing as additional insured.</p>
44	BIKE, PED, MOTORCYCLE	<p>Related to that question (Karen Yacos Vision Test), it seems Section 3.6 would be a place to address vehicle response to bikes and peds</p>	<p>Rob Moore,  <b>Lamoille County RPC</b>, June 19, 2020 Public Info Meeting</p>	<p>Interactions with pedestrians and bicyclists has been added to the list of data that may be included in testing reports in Section 3.6.</p>

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
45	MUNICIPAL CONCERNS	Do municipalities have opportunity to comment on proposals that include Class 1 TH	Doug Morton, Northeast Development Association  June 19, 2020 Public Info Meeting	Yes. Municipalities can comment through the Public Hearing process regardless if there are any town highways included in the test. VTrans is required to give municipalities 60 days of notice prior to the hearing. See Section 3.1, item #4.
46	BIKE, PED, MOTORCYCLE	Again related to bikes and peds, has there been any consideration of requiring an "inventory" of bike and ped facilities (including wide shoulders) in the proposed testing area?	Rob Moore, <b>Lamoille County RPC</b> , June 19, 2020 Public Info Meeting	There is not a requirement for an inventory of any infrastructure. Applicants may choose to conduct inventories if necessary, for the purpose of the test, but that is not a requirement for testing. At this point in time, the testing program is focused on the operation of AV's on public roads, which will include considerations on how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.
47	LAW ENFORCEMENT	It is good the permit requires a first responder plan. However, it is unclear how that plan will be distributed to first responders. Note that in many rural communities, several departments provide service via mutual aid. The applicant needs to be responsible for ensuring relevant information makes it to all appropriate responders. Failure to do so may be a cause for revoking a testing permit. If specialized equipment is needed for response/extraction/etc. The applicant should also be responsible for providing such equipment and appropriate training to the appropriate first responders for the full duration of the test.	Rob Moore, <b>Lamoille County RPC</b> , June 19, 2020 Public Info Meeting	The Automated Vehicle Testing Act requires that the Traffic Committee make approved automated vehicle test permits readily available to law enforcement and municipalities within the geographic scope of the operational design domain designated in the permit. AOT The Permit Coordinator will have the responsibility on behalf of the Traffic Committee. Added that requirement as a Step #8 of the process description in Section 3.1.

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48	MUNICIPAL CONCERNS	In previous discussions you have taken on the mantel as envoy to municipalities. How has it gone so far?	Wayne Weikel Senior Director, <b>Alliance of Automotive Innovation,</b>  June 19, 2020 Public Info Meeting	Since the Act was signed into law in June 2019, VTrans staff have made presentations at municipal training events, regional planning commission meetings and with specific municipal selectboards and executive staff. Several municipalities have expressed interest in pre-approving testing. VTrans staff will continue the outreach efforts in coordination with Reginal Planning Commissions. There is clear interest around testing of AVs in Vermont and VTrans is committed to fostering a safe, transparent, and collaborative environment for testing, learning, and public outreach and education.
49	ELDERLY & DISABLED PEOPLE	We know the main impetus of this is to get vehicles on the road, test the software, all those things, before they go to the next phase. Issues in the disability community have always been that they need to think about accessibility up front, because otherwise they will discover after the fact that there are complications and a piecemeal approach. This is an ongoing concern. Based on the slides that you had it sounds like at some point the company that is testing can have passengers as part of the testing process. How are passengers recruited? Should the application talk about this?	Peter Johnke, Vermont Center for Independent Living,  June 19, 2020 Public Info Meeting	In the Testing Plan required in Section 4.7, the Applicant is required to describe how senior citizens and people with mobility impairments, vision impairments, or other sensory impairments would be addressed if the test involves ride for hire, transit service or other similar services. Item 3c was added to Section 4.7 asking the Applicant to describe their recruitment approach if senior citizens and people with mobility impairments, vision impairments, or other sensory impairments are included in the test plan.
50	SAFETY	Require that all AVs tested in Vermont prominently display identification (besides logos or license plate numbers, which can be difficult to read and remember) and contact information either for the company or, perhaps more ideally, a State entity or contractor who is charged with collecting feedback from the public regarding interactions with these vehicles. This could be done through a survey form similar to what Bike PGH uses ( <a href="https://www.bikepgh.org/our-work/advocacy/save/survey/">https://www.bikepgh.org/our-work/advocacy/save/survey/</a> ). This feedback could be integrated into the period reports.	Karen Yacos, Executive Director, Local Motion  July 7, 2020 letter	Per the Act, Test vehicles shall include signs on the sides and/or rear of the vehicle to indicate it is an automated vehicle, or similar distinguishing features to enable first responders to identify it as an ADS-equipped vehicle. This requirement is included as a standard condition in Section 8.0, #5.

Ref	Topic	Comment on April 24, 2020 Draft	From	Response
51	SAFETY	Under Safety and Risk Management, applicants should be required to specifically address how their vehicle detects and avoids crashes with vulnerable users. A threshold of acceptable understanding and capabilities could be set and form the basis for permit approval or denial. This would help to ensure that the AVs (and the AV teams) have the ability to conduct tests in a safe manner around vulnerable users prior to issuing a permit.	Karen Yacos, Executive Director, Local Motion  July 7, 2020 letter	The description of the Testing Plan in Section 4.7, item #2 regarding roadway characteristics has been modified to recognize the presence of pedestrians and bicyclists.  The following requirement has been added to the information to be included with the Safety and Risk Management Plan (Section 4.8, Item #11) - A description of how the ADS detects and avoids crashes with vulnerable users including pedestrians, bicyclists, and motorcycles.
52	REPORTS	For periodic reporting, we recommend that permit holders report on the performance of vehicles around vulnerable users, including crosswalk yield compliance, compliance with state passing distance recommendation, and interaction with bike lanes.	Karen Yacos, Executive Director, Local Motion  July 7, 2020 letter	Interactions with pedestrians and bicyclists has been added to the list of data that may be included in testing reports in Section 3.6.